

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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THE CITY OF NEW YORK,

Plaintiff,

v.

ENVIROMD GROUP LLC; GT IMPORTS;  
KAYLA WHOLESALE, INC., d/b/a The Vapery;  
KLCC WHOLESALE INC.; PIONEER DISTRIBUTION, INC.  
a/k/a WEVAPEUSA.COM a/k/a SELLER SUPREME LLC;  
RZ SMOKE INC.; STAR ZONE INC.;  
URBAN SMOKE DISTRIBUTORS;  
VAPE MORE INC. a/k/a MORE LLC; VAPE PLUS  
DISTRIBUTION CORP. a/k/a G&A DISTRIBUTION;  
DAVID ALFIH a/k/a David Alfieh, a/k/a DJ Alfani; and  
MARCUS BERNARD,

Defendants.

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**1:24-cv-5161-GHW-JW**

**DECLARATION IN  
SUPPORT OF REQUEST  
FOR CLERK'S  
CERTIFICATE OF  
DEFAULT**

ELIZABETH SLATER, an attorney duly admitted to practice before the courts of the State of New York and this Court, declares under penalty of perjury pursuant to 28 U.S.C. § 1746 that the following is true and correct:

1. I am an assistant corporation counsel in the office of Muriel Goode-Trufant, Corporation Counsel of the City of New York, attorney for Plaintiff the City of New York ("City").
2. I make this declaration in support of the City's application pursuant to Federal Rule of Civil Procedure Rule 55(a) and Local Civil Rule 55.1 for a certificate of default against Pioneer Distribution, Inc. and David Alfih.
3. This action was commenced in the Supreme Court of the State of New York, New York County, on April 4, 2024 with the filing of a summons and complaint.

4. The state court action was assigned index number 451009/2024.

5. A copy of the summons and complaint was served on Pioneer Distribution Inc. by service upon the Secretary of State of New York on April 19, 2024. The copies were personally delivered to an individual named Sue Zouky, a person of suitable age and discretion. The Affidavit of Service was filed on April 25, 2024. A copy of the Affidavit of Service upon Pioneer Distribution Inc. is annexed as Exhibit A.

6. An amended complaint was filed on June 14, 2024. David Alfih was added as a defendant.

7. The case was removed to this Court on July 8, 2024.

8. The complaint was further amended on August 21, 2024 (the “Second Amended Complaint”).

9. A copy of the summons, the Second Amended Complaint with exhibits, and the Court orders dated July 29, August 7, August 10, and September 12, 2024 were served upon David Alfih at his Brooklyn, NY residence at 1431 E 7th St, Brooklyn, NY 11230-5712. The copies were delivered to Marcus Doe, a person of suitable age and discretion, with additional service by mail, on September 24, 2024. The Affidavit of Service was filed on October 18, 2024. A copy of the Affidavit of Service is annexed as Exhibit B.

10. Pioneer Distribution Inc. and David Alfih have not appeared in this action and have not contacted counsel for the City directly or through counsel.

11. David Alfih is not an infant and, to the best of my knowledge, is not in the military or an incompetent person.

12. Accordingly, I respectfully request that the Clerk of this Court issue a certificate of default against the Pioneer Distribution Inc. and David Alfih in favor of the City in this action.

Dated: New York, New York  
April 7, 2025

By: /s/ Elizabeth Slater  
Elizabeth Slater  
Assistant Corporation Counsel